

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
EQUAL EMPLOYMENT OPPORTUNITY	:	
COMMISSION,	:	
	:	13 Civ. 6088 (JPO)
Plaintiff,	:	
	:	<u>ORDER</u>
-v-	:	
	:	
VAMCO SHEET METALS, INC.,	:	
	:	
Defendant.	:	
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J. PAUL OETKEN, District Judge:

The Court has reviewed Magistrate Judge Francis’s Report and Recommendation (the “Report”) (Dkt. No. 37) regarding the motion to intervene (Dkt. No. 20), and adopts the recommendation of the Report.

The Equal Employment Opportunity Commission (“EEOC”) brought this case against Vamco Sheet Metals, Inc. (“Vamco”), alleging unlawful employment discrimination based on gender in violation of Title VII of the Civil Rights Act of 1964 and Title I of the Civil Rights Act of 1991. Four women, Kesha Watkins, Anna Quitoriano, Nilsa Lopez, and Melanie DeMicco, allege disparate treatment by Vamco on the basis of gender and seek leave to intervene. In a carefully reasoned report, Magistrate Judge Francis recommends granting the motion to intervene with respect to the interveners’ discrimination claims under Title VII, the New York Human Rights Law, N.Y. Exec. Law § 296 (“NYHRL”), and the New York City Human Rights Law, Administration Code of the City of New York §§ 8-101 et seq, and denying the motion to intervene with respect to the labor claims under 29 U.S.C. § 207(r) and NYLL § 206-c. The Report also informed the parties of the procedure for filing written objections.

No party filed a timely objection to the Report; therefore, the Court reviews it for clear error. *See* Fed. R. Civ. P. 72(b), Advisory Committee's Notes (1983) ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation."); *see also Borcsok v. Early*, 299 F. App'x 76, 77 (2d Cir. 2008) ("The District Court then reviewed the magistrate judge's report and recommendation for clear error and, finding none, adopted the report in full."). Magistrate Judge Francis's well-reasoned Report presents no such errors and is therefore fully adopted by this Court. Accordingly, the motion to intervene is granted in part and denied in part.

The Clerk of the Court is directed to terminate the motion at docket number 20.

SO ORDERED.

Dated: New York, New York

June 5, 2014



J. PAUL OETKEN
United States District Judge